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NO. 3940 P. 1

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## TELEFAX

Date: April 25, 2005

Total pages: 9 (w/fax  
cover)

To: USPTO

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From: Patrea Pabst

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Our Docket No. CMCC 512 DIV

Client/Matter No. 078856/66

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### MESSAGE:

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Samy Ashkar

Serial No: 10/743,892

Art Unit: 1645

Filed: December 22, 2003

Examiner: David Lukton

For: *NOVEL OSTEOPONTIN DERIVED CHEMOTACTIC PEPTIDES  
AND METHODS OF USE*

Transmittal Form PTO/SB/21, Fee Transmittal PTO/SB/17 and Response to Restriction Requirement.

(48056450.1)


CMCC 512 DIV  
078856/66

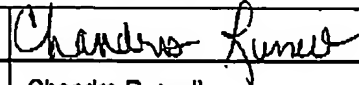
PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/743,892
	Filing Date	December 22, 2003
	First Named Inventor	Samy Ashkar
	Art Unit	1645
	Examiner Name	David Lukton
Total Number of Pages in This Submission	Attorney Docket Number	CMCC 512 DIV

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.62 or 1.63	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD  <div style="border: 1px solid black; padding: 2px;">Remarks</div>	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): two abstracts
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Pabst Patent Group LLP	
Signature		
Printed name	Patrea L. Pabst	
Date	April 25, 2005	Reg. No. 31,284

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Chandra Russell	Date April 25, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004,  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4615).

PTO/SB/17 (12-04)  
Approved for use through 07/31/2008, OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# **FEE TRANSMITTAL**

## **For FY 2005**

☒ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ ) 0.00

### **Complete if Known**

Application Number **10/743,892**  
Filing Date **December 22, 2003**  
First Named Inventor **Samy Ashkar**  
Examiner Name **David Lukton**  
Art Unit **1645**  
Attorney Docket No. **CMCC 512 DIV**

### **METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: **50-3129** Deposit Account Name: **Pabst Patent Group LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### **FEE CALCULATION**

#### **1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### **2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

**Total Claims** 9 - 20 or HP = 0 x 0 = 0 **Fee Paid (\$)**

HP = highest number of total claims paid for, if greater than 20

**Indep. Claims** 6 - 3 or HP = 0 x 0 = 0 **Fee Paid (\$)**

HP = highest number of independent claims paid for, if greater than 3

#### **3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets** 100 - 100 = 0 / 50 = 0 (round up to a whole number) x 0 = 0 **Fee Paid (\$)**

#### **4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: \_\_\_\_\_

### **SUBMITTED BY**

Signature \_\_\_\_\_ Registration No. **31,284** Telephone **(404) 879-2151**  
Name (Print/Type) **Patrea L. Pabst** (Attorney/Agent)  
Date **April 25, 2005**

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NO. 3940 P. 4

APR 25 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: **Samy Ashkar**

Serial No.: **10/743,892**

Art Unit: **1645**

Filed: **December 22, 2003**

Examiner: **David Lukton**

For: ***NOVEL OSTEOPONTIN DERIVED CHEMOTACTIC PEPTIDES  
AND METHODS OF USE***

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Response to Restriction Requirement**

Sir:

Responsive to the Office Action mailed on March 23, 2005, please consider the following remarks.

It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-3129.

{45056175.1}  
078856-00066

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